



BN/SB/30

Request For Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
Randolph Building, 401 Dulany Street
Alexandria, Virginia 22314

| | |
|------------------------|-------------------|
| Application Number | 09/914,773 |
| Filing Date | September 4, 2001 |
| First Named Inventor | Ulrich UPMEYER |
| Confirmation No. | 4160 |
| Art Unit | 3654 |
| Examiner Name | T. BRAHAN |
| Attorney Docket Number | UPMEYER=4 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to USPTO) on page 2.

1. **Submission required under 37 C.F.R. 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☒ Other Amendment filed on December 19, 2005
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required).

- b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when RCE is filed. **02/22/2006 JAD001 00000056 09914773**
- ☒ Applicant(s) claim small entity status. See 37 C.F.R. § 1.27.

- a. ☐ The director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-4035

- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR. 1.136 and 1.17): \$225.00 for two months
(☐ \$ _____ already paid for _____ month(s) extension of time on _____)
- iii. ☐ Other _____

- b. ☐ Check in the amount of \$ _____ enclosed (Check No. _____)

- c. ☒ Payment by credit card (Form PTO-2038 enclosed) authorized in the amount of \$ 620.00

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

4. ☒ Provisional extension of time if needed. Applicants authorize any charge of additional fees (except issue fee) that may be required in connection with this application to Deposit Account No. 02-4035.

SIGNATURE OF APPLICANT, ATTORNEY, AGENT REQUIRED

| | | | |
|-------------------|---------------------------|-----------------------------------|-------------------|
| Name (Print/Type) | Jay M. Finkelstein | Registration No. (Attorney/Agent) | 21,082 |
| Signature | <i>Jay M. Finkelstein</i> | Date | February 22, 2006 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

| | | | |
|-------------------|--|-----------------------------------|--|
| Name (Print/Type) | | Registration No. (Attorney/Agent) | |
| Signature | | Date | |